

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

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SUSAN NEESE, M.D., *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, *et al.*,

Defendants.

Civil Action No. 2:21-cv-163-Z

**UNOPPOSED MOTION FOR EXTENSION OF PAGE LIMIT FOR  
DEFENDANTS' MOTION TO DISMISS**

Defendants respectfully move this Court for an additional five pages for their anticipated motion to dismiss Plaintiffs' First Amended Complaint. Defendants filed an unopposed motion for an extension of time to file their motion to dismiss on or before December 14, 2021. *See* ECF No. 13 (Dec. 6, 2021).

1. Defendants moved to dismiss Plaintiffs' Complaint, filing a memorandum of twenty-five pages in accordance with Local Civil Rule 7.2(c). Plaintiffs filed a First Amended Complaint that added a new Plaintiff and new allegations relating to arguments Defendants raised in their initial motion to dismiss. For that reason, Defendants anticipate needing additional space to respond to the addition of the new Plaintiff and the new allegations. Additionally, Defendants' motion will raise a number of defenses, which require adequate explanation. Plaintiffs' claims require extensive discussions of standing, ripeness, final agency action, administrative remedies, and the merits of Plaintiffs' statutory arguments. Defendants believe that the expanded scope of the First Amended Complaint and the number of issues presented are compelling reasons that justify a five-page extension of their page limitation in their motion to dismiss.

2. To address those issues, Defendants respectfully request relief from the 25-page limit set forth in Local Rule 7.2(c), and request an additional five pages for their motion to dismiss.

3. The undersigned has conferred with counsel for Plaintiffs and they do not oppose the requested relief.

Dated December 13, 2021

Respectfully submitted,

BRIAN M. BOYNTON  
Acting Assistant Attorney General

MICHELLE BENNETT  
Assistant Branch Director

/s/ Jordan L. Von Bokern  
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Attorneys for Defendants

Certificate of Conference

This is to certify that I have conferred with counsel for the other parties about the motion, and that the relief requested is unopposed by all parties.

/s/ Jordan L. Von Bokern  
Jordan L. Von Bokern  
Trial Attorney

**CERTIFICATE OF SERVICE**

On December 13, 2021, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Jordan L. Von Bokern

Jordan L. Von Bokern

Trial Attorney

United States Department of Justice